

DUTY STATEMENT

Classification: Attorney IV		Position Number: XXX-XXXX-XXX	
Division/Office/Section: Executive/Legal			
Location: 1001 I Street, Sacramento		Effective Date: 9/9/21	
Employee's Name:		Supervision Exercised: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Supervisor's Name: Harlee Branch			
Collective Bargaining Identifier (CBID): R 02			

This position requires the incumbent to maintain consistent and regular attendance; communicate effectively (orally and in writing if both appropriate) in dealing with the public and/or other employees; develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools and equipment; complete assignments in a timely and efficient manner; and, adhere to department policies and procedures regarding attendance, leave, and conduct.

POSITION DESCRIPTION:

Under the general direction of the Chief Counsel and Assistant Chief Counsel, the incumbent is responsible for providing complex legal counsel on various legal issues involving or affecting the Department. In particular, the incumbent provides such counsel to the Short-Lived Climate Pollutant (SLCP) program implemented under the authority of Senate Bill 1383.

The incumbent works with the broadest discretion and independence and with minimum supervision. The incumbent may act in a lead capacity over junior Attorneys.

ESSENTIAL FUNCTIONS

- 40% Provides legal counsel to the Department director, executive staff, management, and program staff on the more complex and sensitive legal issues facing the Department. In particular, the incumbent provides such counsel to the Short-Lived Climate Pollutant (SLCP) program implemented under the authority of Senate Bill 1383. Deals with novel theories and/or practice involving rapid evolution of law and specializes in a rapidly-evolving regulatory area. Performs legal research on complex legal issues that may have a high precedential value or may involve novel areas of the law. Drafts legal correspondence, such as letters, memoranda, and e-mails regarding the more complicated and difficult legal issues. Regularly attends meetings with internal clients to provide legal counsel. Meets with external counsel or representatives, who may have a high level of experience and specialization, to represent the Department's legal position. Reviews client work product for consistency with legal requirements. Consults on Department rulemaking actions, including development of proposed regulatory language. Consults on legislation, including the drafting of proposed bill language in a technical assistance role.
- 30% Acts as legal counsel regarding enforcement of Department regulatory requirements, including evaluation of potential regulatory enforcement actions, development of such enforcement actions, and eventual prosecution of such enforcement actions in administrative hearings.
- 15% Assists the Office of the Attorney General in civil litigation matters involving the Department.
- 5% Performs administrative duties including, but not limited to: adheres to Department policies, rules, and procedures; submits administrative requests including leave, overtime, travel, and training in a timely and appropriate manner; accurately reports time and submits timesheets by the due date.

MARGINAL FUNCTIONS

10 % Performs other duties consistent with this classification as needed to support the functions of the Legal Affairs Office.

I have read and understood the duties and essential functions of the position and can perform these duties with or without reasonable accommodation:	Date:
Employee Signature:	
I certify that the above accurately represent the duties of the position:	Date:
Supervisor Signature:	
PERSONNEL USE ONLY: This personnel transaction has been reviewed and approved by:	
C&P Analyst:	Date Approved:

SPECIAL REQUIREMENTS OF POSITION (IF ANY):

- ☒ Designated under Conflict of Interest Code.
 - ☐ Duties performed may require annual physical.
 - ☐ Duties require participation in the DMV Pull Notice Program (drives on state business 6 or more time per month).
 - ☐ Requires the utilization of a self-contained breathing apparatus.*
 - ☐ Operates heavy motorized vehicles.*
 - ☐ Requires repetitive movement of heavy objects.*
 - ☐ Performs other duties requiring high physical demand.* (Explain below)
- *May require a pre-employment medical examination.

ESSENTIAL FUNCTIONS OF POSITION

- ☒ **VISION** – You must have sufficient vision to perform the following duties: identify resource requirements and prepare supporting materials; monitor all division contracts; develop training programs and examination planning; review legislation, prepare and initiate personnel transactions.
- ☒ **HEARING** – Your hearing must be sufficiently acute to perform following duties: perform phone consultations; take oral instructions from division management and personnel in other divisions
- ☒ **SPEECH** – You must have sufficient ability to speak to perform following duties: report budget, personnel, legislation, training, and administrative issues to management; speak on the phone; interact with division staff
- ☐ **CARDIAC/CIRCULATORY SYSTEM** – Your cardiac/circulatory system must be in sufficient condition to perform the following duties:
- ☐ **RESPIRATORY SYSTEM** - Your respiratory system must be in sufficient condition to perform these duties:
- ☒ **ORTHOPEDIC** – You must have the ability to use the following selected body parts – a. neck, b. shoulder, c. arm, d. elbow, e. wrist, f. hand, g. finger, h. spine, i. back, j. hip, k. leg, l. knee, m. ankle, n. foot, o. toe, to perform the following duties: use computer (a, b, c, d, e, f, g); attend meetings (h, l, j, k, l, m, n); and, use of appropriate body parts to perform other duties of this position
- ☒ **MANUAL DEXTERITY** – You must be able to perform the following duties involving manual dexterity: use the computer; telephone, calculator; FAX machine; drive vehicle to meetings, conferences workshops, etc.
- ☐ **BENDING, STOOPING, KNEELING** – You must be able to bend at the knee or waist, stoop, and kneel to perform the following duties:
- ☒ **SITTING OR STANDING** – You must be able to sit or stand for extended periods of time to perform the following duties: attend meetings, tour facilities, sit at desk for extended periods of time to perform division administrative duties that are mandatory for this position
- ☐ **LIFTING** – You must be able to lift up to pounds to perform the following duties:
- ☒ **CONCENTRATION** – You must be able to continuously concentrate to perform the following duties: develop division budget and work plans; research civil service classifications; analyze organizational structure; maintain and develop division administrative policies; develop priorities for use of division's line item expenditures; prioritize and monitor division contracts; develop and coordinate division training programs; review legislation
- ☐ **EQUILIBRIUM/BALANCE** – You must be able to perform the following duties in such a manner that you do not jeopardize the safety of others:
- ☐ **LOSS OF AWARENESS OR CONSCIOUSNESS** - You must be able to perform the following duties in such a manner that you do not jeopardize the safety of others:

- ☐ **CONTAGIOUS OR COMMUNICABLE DISEASE** - You must be able to perform the following duties in such a manner that you do not jeopardize the safety of others:
- ☐ **DRIVING OR OPERATING DANGEROUS EQUIPMENT** – You must be able to drive or operate dangerous equipment to perform the following duties:
- ☐ **Do you have any other physical or mental condition or limitation not listed above that prevent you from performing the essential functions of this position as described in this job description?**

EMPLOYEE CERTIFICATION

- ☐ Yes. I am able to perform all of the above listed essential functions of the position, and have no physical or mental condition or limitation that prevent or otherwise impair me from doing so.
- ☐ Yes, I am able to perform all of the above-listed essential functions of the position, but will require reasonable accommodation in order to do so.
- ☐ No, I am unable to perform one or more of the above-listed essential functions of the position, even with reasonable accommodation.
- ☐ I am not sure if I am able to perform on or more of the above-listed essential functions of the job.

Signature

Date